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**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

In re

MORGAN & FINNEGAN, L.L.P

Debtor.

ROY BABITT, Trustee for the Chapter 7  
Estate of MORGAN & FINNEGAN, L.L.P.,

Plaintiff,

-against-

POLLACK & KAMINSKY, DANIEL A.  
POLLACK, MARTIN I. KAMINSKY,  
EDWARD T. MCDERMOTT, ANTHONY  
ZACCARIA, JUSTIN CHU AND  
W. HANS KOBELT,

Defendants.

Chapter 7

Case No. 09-11203 (RDD)

Adv. Pro. No. 11-01675 (RDD)

**STIPULATION DISCONTINUING ACTION AGAINST DEFENDANTS POLLACK &  
KAMINSKY, DANIEL A. POLLACK, MARTIN I. KAMINSKY EDWARD T.  
MCDERMOTT, ANTHONY ZACCARIA, JUSTIN CHU AND W. HANS KOBELT**

**IT IS HEREBY STIPULATED AND AGREED**, by and between the undersigned below, that this action (Adv. Pro. No. 11-01675 (RDD)) against defendants Pollack & Kaminsky, Daniel A. Pollack, Martin I. Kaminsky, Edward T. McDermott, Anthony Zaccaria, Justin Chu and W. Hans Kobelt is discontinued with prejudice and without costs to any party as against the other.

**IT IS FURTHER STIPULATED AND AGREED** that this Stipulation may be signed in counterparts, and facsimile signatures are valid and binding as original, and filed without further notice with the Clerk of the Court.

Dated: June 6, 2011	Dated: June 3, 2011
WINDELS MARX LANE & MITTENDORF, LLP <i>Attorneys for Roy Babitt, Chapter 7 Trustee</i>  BY: <u>/s/ Alan Nisselson</u> Alan Nisselson ( <a href="mailto:anisselson@windelsmarx.com">anisselson@windelsmarx.com</a> ) 156 West 56th Street New York, New York 10019 Tel: (212) 237-1000	MARTIN I. KAMINSKY, ESQ. <i>Attorney for Defendants Pollack &amp; Kaminsky, Daniel A. Pollack, Martin I. Kaminsky, Edward T. McDermott, Anthony Zaccaria, Justin Chu and W. Hans Kobelt</i>  BY: <u>/s/ Martin I. Kaminsky</u> Martin I. Kaminsky ( <a href="mailto:mikaminskylaw@aol.com">mikaminskylaw@aol.com</a> ) 225 Circle Road Muttontown Syosett, New York 11791 (917) 847-9894

**IT IS SO ORDERED** in White Plains, New York, this 20th day of June, 2011

/s/Robert D. Drain  
THE HONORABLE ROBERT D. DRAIN  
UNITED STATES BANKRUPTCY JUDGE